UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
MADAMBA, GLENFORD J

ART UNIT	PAPER NUMBER
2451	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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mailroom@bskb.com

	Application No.	Applicant(s)
Office Action Summary	10/777,655	JEON, YOUNG JAE
	Examiner	Art Unit	
	Glenford Madamba	2451	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>24 February 2010</u>.

2a) ☐ This action is **FINAL**.　　　2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,2,4,5,8-10,12,15,16,18-22,24-26 and 28-31</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-2, 4-5, 8-10, 12, 15-16, 18-22, 24-26 and 28-31</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)　　　　　　　　　　　**Office Action Summary**　　　　　　Part of Paper No./Mail Date 20100409

DETAILED ACTION

Response to Remarks and Amendments

1. This action is in response to remarks and claim amendments filed by Applicant's
representative on February 24, 2010.

2. Applicant's remarks and amendments filed on February 24, 2010 to reopen
prosecution of the application based on the Appeal Brief board decision to issue a new
grounds of rejection against the appealed claim set, have been considered but are now
moot in light of the new grounds of rejection provided with this action.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 4-5, 9, 12, 15, 18-22, 25-26, and 28-29, and 31 are rejected under 35
U.S.C. 103(a) as being unpatentable over Smyers, U.S. Patent US 6,430, 629 in view of

Sitnik, U.S. Patent 6,988,276 and in view of Obviousness (Applicant's Admitted own

Prior Art).

As per Claims 1, 9, and 15, Smyers discloses substantial features of the claimed

invention, such as the features of a home network system [Abstract] [Figure 1]

comprising at least one slave device (110-140) [Fig. 1]; and a <u>television receiver</u> (e.g.,

home network monitor_10) [Fig. 1] operatively connected to the *at least one* slave

device, the master device comprising a microprocessor (CPU_20) [Fig. 1] operatively

connected to the *at least one* slave device for repeatedly sending a status request

signal to the slave device and receiving one or more response signals from the *at least*

one slave device [Abstract] [col 2, L9-12]; a memory coupled to the microprocessor (30

/40) [Figure 1] for constructing an operation history database (e.g. log of nodal operation

state or state changes) [col 2, L47 – col 3, L7] by *cumulatively* storing operation status

data (e.g. temperature readings, VCR program recordings) of the *at least one* slave

device included in each response signal [col 1, L5-30] [col 2, L47 – col 3, L7], wherein

the microprocessor extracts data from the operation history database when a history

inquiry request is received from a user [col 3, L1-20], <u>the history inquiry request</u>

<u>received from the user including a user selection of a period of time</u> (e.g. confirming that

the VCR 110 and STB 130 recorded a movie, or examine the temperature fluctuations

during a monitoring period of user interest) [col 2, L47-55] (e.g., monitoring of

temperature readings every 30 minutes, monitoring of STB / VCR states performed

every 5 minutes) [col 2, 56-65]; and a display unit (User Interface_160 w/ touchscreen;

e.g., computer, PDA) coupled to the microprocessor for displaying the extracted operation history data [Figure 1], the display operation history data including a list of operations or events performed by one or more of the at least one slave device during the selected period of time (e.g. confirming that the VCR 110 and STB 130 recorded a movie, or examine the temperature fluctuations during a monitoring period of user interest) [col 2, L47-55], and wherein (1) the operation status data includes data related to specific functions performed by the at least one slave device (e.g. temperature readings, VCR program recordings) [Abstract] [col 1, L5-30] [col 2, L47 – col 3, L7].

But While Smyers discloses substantial features of the invention, as above, and in particular a master device (e.g., home network monitor_10) [Fig. 1] operatively connected to at least one slave device (110-140) [Fig. 1] in a home network system, he does not expressly disclose the recited feature of home network system wherein the master device is a "television receiver". The feature is disclosed by Sitnik in a related endeavor.

Sitnik discloses as his invention a method and apparatus for providing peer-to-peer communications between televisions wherein a query request is sent from any of the televisions to any other of the television. The query request is for information identifying content currently watched on the queried television including samples of the currently watched content [Abstract]. Specifically, Sitnik expressly discloses the recited feature of home network system wherein the master device is a "television receiver" [col 1, L25-36]. Sitnik teaches that "manufacturers are currently retrofitting every type of home appliance, from toasters to heating and cooling systems, for connection to an *in-*

home network. Most of the systems are designed with *master/slave operability* in mind. For instance, many systems are designed wherein a *master controller*, such as a *television (TV)* is provided with the capability to recognize and control a *slave device*, such as a video cassette recorder (VCR). In this model, the master sends *command and control information* to the slave and the slave complies with the commands and sends *status information* back to the master.

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Smyers' invention with the recited feature of the home network system comprising a television receiver that is operatively connected to at least one slave device for sending status request signals and receiving one or more response signals from the at least one slave device, for the motivation of sharing information about viewed audio visual content, specifically, and enhancing the primary leisure function of a TV, in general [col 1, L5-9 & col 2, L5-7].

Further, with regards to claim 1, while Smyers and Sitnik disclose the above recited features, the combination does not explicitly disclose the additional recited feature of the television receiver including a capability to activate a message BLOCK function which prevents messages sent fi:om the at least one slave device from being displayed, and (3) the memory culnulatively stores the operation status data included in each response signal even when the message BLOCK function of the television receiver is currently activated. Nonetheless the recited feature is disclosed in view of Obviousness (Applicant's Admitted Own Prior Art) over the subject matter described in

paragraphs [0004] and [0005] in the "Discussion of the Related Art" portion of

Appellant's Specification in view of Smyers.

As noted above, Appellant's paragraph 0004 explains that "in general, a typical

home network system includes a master device and a plurality of slave devices," that

"some of the typical master devices are a television (TV) receiver, a personal computer

(PC) and an Internet-ready refrigerator," and that "the master appliances have a

memory for sharing information with salve [sic: slave] devices connected in a network."

[Specification: 0004]. The terms "typical" and "have" in this paragraph suggest that the

use of a TV receiver as a master device in a home network system and the provision of

a master device with a memory were not invented by Appellant and thus constitute prior

art with respect to Appellant's claimed invention. Likewise, the characterization of the

BLOCK function described in paragraph 0004 as "known" suggests that the BLOCK

function, too, is prior art with respect to Appellant's claimed invention. One of ordinary

skill in the art would thus be motivated to include the above said feature to the

combination of Smyers and Sitnik as an obvious improvement or modification to the

disclosed invention.

Claim 9 and 15 are also thus rejected using the same rationale discussed above

for Claim 1 as the claims differ only by their statutory category.

As per Claim 4, Smyers discloses the home network system of claim 1, wherein the history inquiry request received from the user *includes a user selection of a period of time*, and the displayed operation history data includes a list of operations or events performed by *each of the at least one slave device* during the selected period of time (e.g. monitoring of temperature readings by a temperature sensitive device every 30 minutes, monitoring of STB / VCR states performed every 5 minutes) [col 2, L23-47].

As per Claims 5, 19, and 20 Smyers discloses the home network system of claim 1, wherein the operation status data included in each response signal includes information indicating initiation or completion of an operation and a corresponding time of the initiation or completion [col 2, L48-55].

Claims 19 and 20 are also rejected using the same justification provided for Claim 5 as they cite the same claim limitations as Claim 5.

As per Claim 12 and 22, Smyers discloses the television (TV) receiver of claim 9, wherein the history inquiry request received from the user includes *a user selection of at least one slave device*, and the displayed operation history data includes a list of operations or events performed *by each selected slave device* during a predetermined period of time (e.g. monitoring of temperature readings by a temperature sensitive device every 30 minutes, monitoring of STB / VCR states performed every 5 minutes) [col 2, L23-47].

As per Claim 18, Smyers discloses the method of claim 15, wherein the operation status data included in each response signal includes data indicating a current operation status of a slave device [Abstract] [col 1, L5-28].

As per Claim 21, Smyers discloses the method of claim 15, wherein the operation status data included in each response signal includes information indicating that there is no operation in progress [col 2, lines 47-65].

As per Claim 25, Smyers in view of Sitnik discloses the method of claim 15, wherein the user manually makes the history inquiry request by activating a corresponding function key provided within the television receiver.

While Smyers discloses substantial features of the invention, as above, and in particular a master device (e.g., home network monitor_10) [Fig. 1] operatively connected to at least one slave device (110-140) [Fig. 1] in a home network system, and the method wherein the user manually makes the history inquiry request by activating a corresponding function key provided within a master device [col 3, L8-20], he does not expressly disclose the recited feature of home network system wherein the master device is a "television receiver". The feature is disclosed by Sitnik in a related endeavor.

Sitnik discloses as his invention a method and apparatus for providing peer-to-peer communications between televisions wherein a query request is sent from any of the televisions to any other of the television. The query request is for information

identifying content currently watched on the queried television including samples of the currently watched content [Abstract]. Specifically, Sitnik expressly discloses the recited feature of home network system wherein the master device is a "television receiver" [col 1, L25-36]. Sitnik teaches that "manufacturers are currently retrofitting every type of home appliance, from toasters to heating and cooling systems, for connection to an *in-home network*. Most of the systems are designed with *master/slave operability* in mind. For instance, many systems are designed wherein a *master controller*, such as a *television (TV)* is provided with the capability to recognize and control a *slave device*, such as a video cassette recorder (VCR). In this model, the master sends *command and control information* to the slave and the slave complies with the commands and sends *status information* back to the master.

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Smyers' invention with the recited feature of the home network system comprising a television receiver that is operatively connected to at least one slave device for sending status request signals and receiving one or more response signals from the at least one slave device, for the motivation of sharing information about viewed audio visual content, specifically, and enhancing the primary leisure function of a TV, in general [col 1, L5-9 & col 2, L5-7].

As per Claim 26, Smyers discloses the method of claim 15, wherein sending one status request signals to the plurality of slave devices is performed repeatedly (e.g. monitoring

of temperature readings by a temperature sensitive device every 30 minutes, monitoring

of STB / VCR states performed every 5 minutes) [col 2, L23-47].

As per Claims 28, 29, and 31 Smyers in view of Sitnik discloses the home network

system of claim 1, wherein the at least one slave device is configured to respond to the

status request signal from the television receiver by sending to the television receiver

the response signal that indicates that the at least one slave device is idle (VCR

'recording', 'not recording', recording completed') [Abstract] [col 1, L5-28] [col 2, L48-

55].

While Smyers discloses substantial features of the invention, as above, and in

particular a master device (e.g., home network monitor_10) [Fig. 1] operatively

connected to at least one slave device (110-140) [Fig. 1] in a home network system,

and the the home network system wherein the at least one slave device is configured to

respond to the status request signal from the master device by sending to the master

device the response signal that indicates that the at least one slave device is idle (VCR

'recording', 'not recording', recording completed') [Abstract] [col 1, L5-28] [col 2, L48-

55], he does not expressly disclose the recited feature of home network system wherein

the master device is a "television receiver". The feature is disclosed by Sitnik in a

related endeavor.

Sitnik discloses as his invention a method and apparatus for providing peer-to-

peer communications between televisions wherein a query request is sent from any of

the televisions to any other of the television. The query request is for information

identifying content currently watched on the queried television including samples of the currently watched content [Abstract]. Specifically, Sitnik expressly discloses the recited feature of home network system wherein the master device is a "television receiver" [col 1, L25-36]. Sitnik teaches that "manufacturers are currently retrofitting every type of home appliance, from toasters to heating and cooling systems, for connection to an *in-home network*. Most of the systems are designed with *master/slave operability* in mind. For instance, many systems are designed wherein a *master controller*, such as a *television (TV)* is provided with the capability to recognize and control a *slave device*, such as a video cassette recorder (VCR). In this model, the master sends *command and control information* to the slave and the slave complies with the commands and sends *status information* back to the master.

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Smyers' invention with the recited feature of the home network system comprising a television receiver that is operatively connected to at least one slave device for sending status request signals and receiving one or more response signals from the at least one slave device, for the motivation of sharing information about viewed audio visual content, specifically, and enhancing the primary leisure function of a TV, in general [col 1, L5-9 & col 2, L5-7].

2. Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Smyers in view of Sitnik in view of Obviousness and in further view of Dara-Abrams et

al (hereinafter Dara-Abrams), U.S. Patent 6826512.

As per Claims 2 and 16, while the combination of Smyers, Sitnik and Obviousness

(AAPA) discloses substantial features of the invention such as the home network

system of claim 1 [Abstract], the combination does not expressly disclose the feature of

the system wherein the microprocessor identifies the at least one slave device by

checking *an identification (ID) of the at least one slave device.* Nonetheless, the feature

is disclosed by Dara-Abrams in a related endeavor.

        Dara-Abrams discloses as his invention a method and apparatus for diagnosing

consumer electronic devices (PCs, TVs, PVRs, STBs, DVRs, PDAs, game devices,

etc.) [Absract] [col 1, L14-22] [col 2, L35-36]. In one embodiment, when a problem with

a consumer device owned by a user is identified, a diagnostic procedure is provided to

control the diagnosis of the potentially faulty consumer electronic device by a testing

consumer electronic device. In particular, Dara-Abrams discloses as part of his

invention that upon receiving a request for a support service application, server_22

selects the requested service application from the database_24 using *device identifying*

information (e.g. the vendor, model number and serial number of the device) included in

the request [col 3, L46-50].

        It would thus be obvious to one of ordinary skill in the art at the time of the

invention to combine and/or modify Smyer's invention with the feature of the system

wherein the microprocessor identifies the at least one slave device by checking *an*

identification (ID) of the at least one slave device, as disclosed by Dara-Abrams, for the

motivation of providing a mechanism for diagnosing consumer electronic devices

locally, thus eliminating a need to find a service center associated with the faulty device

[col 1, L42-45].

3. Claims 8, 10, 24 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Smyers in view of Sitnik in view of Obviousness and in further view of Aizu et al

(hereinafter Aizu), U.S. Patent US 6,838,978.

As per Claims 8 and 10, Smyers in view of Aizu notes the home network system of

claim 1, wherein the microprocessor and the at least one slave device are connected

together through Power Line Communication (PLC) modems.

While the combination of Smyers, Sitnik and Obviousness discloses substantial

features of the invention such as the home network system of claim 1 [Abstract] and

displaying operation history data (Log of nodal operational state changes), he does not

expressly disclose wherein the microprocessor and the at least one slave device are

connected together through Power Line Communication (PLC) modems **1** (Aizu: Figure

1; Col 5, lines 38-42). Nonetheless, the limitation is taught by Aizu in a related

endeavor.

Aizu discloses as his invention a communication system (e.g. home network system) using an electric power line and particularly relates to data collecting technology on electric household appliances in electric power line communications (PLC) at home [Abstract] [col 1, lines 5-10] [col 1, lines 46-52]. In particular, Aizu discloses a microprocessor and a plurality of slave devices connected via a Power Line communication modem (i.e. Controller 1, which may be a PLC gateway for protocol conversion and for acquiring various kinds of appliance data *regularly* from appliances on the network [col 5, lines 38-42].

It would therefore be obvious to one of ordinary skill in the art at the time of the invention to modify the combination with the feature of a home network system wherein the microprocessor and the at least one slave device are connected together through Power Line Communication (PLC) modems, as disclosed by Aizu, for the motivation of allowing a display terminal to acquire appliance data from each appliance regularly and complement the non-collected appliance data at the time of startup and regularly from the control device [col 2, lines 32-36].

Claim 10 is also rejected for the same reasons cited for Claim 8 given that they are identical claims that differ only by statutory category.

As per Claim 24, while Smyers, Sitnik and Obviousness discloses substantial features of the invention as above for claims 1,9 and 15 [Abstract], including the recited feature of the home network system wherein the master device is a "television receiver" [col 1,

L25-36] and displaying operation history data (Log of nodal operational state changes),
the combination does not expressly disclose wherein the user automatically makes the
history inquiry request by turning the power of a master device on. Nonetheless, the
limitation is taught by Aizu in a related endeavor.

Aizu discloses as his invention a communication system (e.g. home network
system) using an electric power line and particularly relates to data collecting
technology on electric household appliances in electric power line communications
(PLC) at home [Abstract] [col 1, lines 5-10] [col 1, lines 46-52]. In particular, the user
automatically makes the history inquiry request by turning the power of a master device
on (Aizu: Col 19, lines 44-53).

It would therefore be obvious to one of ordinary skill in the art at the time of the
invention to modify the combination with the feature of the method wherein the user
automatically makes the history inquiry request by turning the power of a master device
on, as disclosed by Aizu, for the motivation of allowing a display terminal to acquire
appliance data from each appliance regularly and complement the non-collected
appliance data at the time of startup and regularly from the control device [col 2, lines
32-36].

As per Claim 30, while the combination of Smyers, Sitnik and Obviousness discloses
substantial features of the invention such as the home network system of claim
1[Abstract] and displaying operation history data (Log of nodal operational state

changes), he does not expressly wherein the steps of sending the status request

signals and receiving the response signals are performed using a PLC modem.

Nonetheless, the limitation is taught by Aizu in a related endeavor.

Aizu discloses as his invention a communication system (e.g. home network

system) using an electric power line and particularly relates to data collecting

technology on electric household appliances in electric power line communications

(PLC) at home [Abstract] [col 1, lines 5-10] [col 1, lines 46-52]. In particular, Aizu

discloses a microprocessor and a plurality of slave devices connected via a Power Line

communication modem (i.e. Controller 1, which may be a PLC gateway for protocol

conversion and for acquiring various kinds of applicance data *regularly* from appliances

on the network [col 5, lines 38-42].

It would therefore be obvious to one of ordinary skill in the art at the time of the

invention to modify the combination with the feature of wherein the steps of sending the

status request signals and receiving the response signals are performed using a PLC

modem, as disclosed by Aizu, for the motivation of allowing a display terminal to acquire

appliance data from each appliance regularly and complement the non-collected

appliance data at the time of startup and regularly from the control device [col 2, lines

32-36].

Conclusion

1. The Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenford Madamba whose telephone number is 571-272-7989. The examiner can normally be reached on M-F 8:30-5:00.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

    Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

/John Follansbee/   Glenford Madamba
Supervisory Patent Examiner, Art Unit 2451   Examiner
                                                      Art Unit 2451